

3-20-02

RCE/3736
AAU.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

04-2-02

REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL FORM (37 C.F.R. § 1.114)

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MAR 19 2002APPLICATION SERIAL NO.
09/004,420EXAMINER
CARTER, R.ART UNIT
3736INVENTOR(S):
Richter et al.

Address to:

Assistant Commissioner for Patents
Washington, DC 20231-0001
Box Patent Applications

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 09/004,420, filed on January 8, 1998, entitled **METHOD AND DEVICE FOR FIXATION OF A SENSOR IN A BODILY LUMIN.**

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

Amendment After Final Office Action
 Information Disclosure Statement
 Drawing Changes
 Other Submission: _____

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.
2. Applicants respectfully request a four month extension of time for which a response period expiring on November 19, 2001, was set. The extended period expires on March 19, 2002. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$1,440.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

03/22/2002 AWONDAF1 00000026 110600 09004420

01 FC:179	740.00 CH
02 FC:102	1176.00 CH
03 FC:103	36.00 CH

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$ PER CLAIM	FEE (\$)
BASIC FEE						740.00
TOTAL CLAIMS	80		78	2	18.00	36.00
INDEPENDENT CLAIMS	28		14	14	84.00	1,176.00
MULTIPLE DEPENDENT CLAIM						
				Number extra must be zero or larger	TOTAL	1,952.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY	0.00
					TOTAL	

3. Please charge the required RCE and submission filing fee of \$1,952.00 to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

4. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

5. A duplicate copy of this transmittal form is enclosed.

Respectfully submitted,

Dated: 3/19/02

By: Dervis Magstre
Dervis Magstre (Reg. No. 41,172)

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SPECIAL NOTES REGARDING RCE PROCEDURES

- RCE practice is **not applicable** to provisional applications, design applications, applications filed before June 8, 1995, or during reexamination. See 37 C.F.R. § 1.114(d) below.
- This RCE form **must** be accompanied by a "submission" (e.g., an amendment). See 37 C.F.R. § 1.114(a), (b).

Additional Notes

- Treat claim fee calculation as you would an amendment filed by itself.
- The applicant may not defer paying the fee for an RCE.
- An RCE is entitled to the benefit of a Certificate of Mailing under 37 C.F.R. § 1.8.
- Inventorship carries/continues. Any change must be via 37 C.F.R. § 1.48.
- Small entity status carries/continues.

37 C.F.R. § 1.114(d)

"(d) The provisions of this section **do not** apply in any application in which the Office has not mailed at least one of an Office Action under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151. The provisions of this section also **do not** apply to:

- (1) A provisional application;
- (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995;
- (3) An international application filed under 35 U.S.C. 363 before June 8, 1995;
- (4) An application for a design patent; or
- (5) A patent under reexamination."

Interim Rule, 65 Fed. Reg. 14865, 14872-73 (March 20, 2000).



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